

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILBURT PEREZ, *on behalf of himself and others similarly situated in the proposed FLSA Collective Action,*

Plaintiff,

-v.-

MICHAEL J. MARTINO and JONAS
BRONCK HOUSING CO. INC.,

Defendants.

23 Civ. 193 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

The Court is in receipt of Defendants' request for entry of an expedited discovery schedule and dispositive motion briefing schedule (Dkt. #38) as well as Plaintiff's request for an extension of time for counsel to meet-and-confer, and to file a proposed case management plan and proposed briefing schedule (Dkt. #39).

Because the parties have proven that they are unable to cooperate for the purposes of preparing routine submissions to the Court (*see, e.g.*, Dkt. #32, 35, 36, 38, 39), the Court hereby ORDERS that, by the dates set forth below:

- **July 26, 2024:** The parties shall meet and confer and agree upon the scope of discovery necessary for the purposes of dispositive motion practice only, which discovery shall be exchanged on an expedited basis.
- **August 2, 2024:** The parties shall exchange initial disclosures.
- **August 9, 2024:** The parties shall serve their remaining discovery demands in accordance with the agreed-upon scope of expedited discovery.

- **August 30, 2024:** Expedited discovery period ends; all outstanding discovery stayed pending resolution of Defendants' dispositive motion.
- **September 20, 2024:** Defendants file their dispositive motion.
- **October 11, 2024:** Plaintiff files its opposition to Defendants' dispositive motion.
- **October 25, 2024:** Defendants file their reply in further support of their dispositive motion.

Plaintiff is warned that its failure to meet and confer with Defendants in accordance with the terms of this Order will result in the issuance of a second order to show cause in writing why this case should not be dismissed for failure to prosecute. (See Dkt. #29).

The Clerk of Court is directed to terminate the pending motions at docket entries 38 and 39.

SO ORDERED.

Dated: July 16, 2024
New York, New York



KATHERINE POLK FAILLA
United States District Judge